

City of Fort Worth, Texas Comments on
FCC Public Notice Seeking Comment on
The Transition Process for 700 MHz Public Safety Waiver Recipients
(DA 12-555, released April 6, 2012)
PS Docket No. 12-94
Submission Date: April 20, 2012

Responses to specific questions are provided below:

Q1: Should the Commission issue a stay to halt deployment by the Waiver Recipients in order to avoid additional costs being incurred by the Waiver Recipients.

A1: No, from the perspective of participants in the North Texas region, this would be a mistake. The Fort Worth purchased components of the BIG-Net system have already been purchased. Not only will this deployment provide a critically needed capability for public safety but also it will provide a critically needed cost effective test bed for the state and nationwide build out.

Q2: Should jurisdictions such as Charlotte and Texas be treated differently because they plan to enter into service shortly, or because they have already expended substantial funds?

A2: Yes, it is very reasonable to allow these deployments to continue and acknowledge the advanced state of deployment in these jurisdictions. Significant resources have already been spent on implementation and a production system that can provide Texans with real, tangible public safety benefits is scheduled to begin coming online for service within the year. These implementations can also serve as a valuable test-bed for what works in the real world serving as a model for a nationwide build-out.

With a population of more than more than 6.6 million and more than 230 independent jurisdictions in the region, the deployment provides the catalyst for the development of the regional architecture, governance organization, as well as process and procedures to ensure a truly interoperable network. The build out is already bearing fruit in the region with jurisdictions working together.

The build out in this region, will provide positive operational capabilities for public safety and tremendous lessons learned for the region, state, and nation. Additionally, the build out is generating a growing interest in public safety broadband as evidenced by other entities who have begun asking for information and indicated interest in participation – such as one of the regional emergency ambulance services and county law enforcement.

Q3: Alternatively, should the Commission decline to act on the interoperability showings for Charlotte, Texas or Adams County, because of the impending transition?

A3: No, the State of Texas interoperability showing should be accepted according to the processes previously established as soon as possible. This interoperability showing represents the best effort and collaborations from a number of jurisdictions working in conjunction with the State of Texas to show adherence to the 3GPP LTE standard evidenced by specific architectures and planned interoperability. Immediate approval of this document will assist in solidifying current deployments already underway. The interoperability showings provide a good mechanism to monitor the progress and ensure it is aligned with plans, technology, processes and FCC regulatory requirements.

Q4: What would be the impact to FirstNet if the Commission did authorize these waiver recipients to enter into service?

A4: FirstNet would have the tremendous body of knowledge gained from the early deployments. This would provide the advantage of building out a nationwide architecture derived from real world public safety deployments such as the Harris County BIG-Net and its coverage expansion model for partnering entities such as the North Texas region. Many valuable lessons can be learned from observing how LTE systems operate when first responders begin taking advantage of the increased capabilities that are possible. Such observations can benefit FirstNet by providing insight on issues such as multi-vendor designs, interconnectivity solutions, backhaul network design, core system/remote system interoperability, and beneficial public/private partnerships.

Q5: Are there network architectures that the Waiver Recipients who wish to initiate service could utilize that would impact the costs of the transition to FirstNet? What are the costs or other impacts, including lost near term public safety benefits, if the Commission fails to authorize these waiver recipients to enter into service?

A5: Current architecture is based on interoperable equipment and industry standard LTE features as defined by 3GPP and interoperable communications requirements from the State of Texas. As such, transition issues with regard to a future FirstNet nationwide build-out should be minimal because of this open and interoperable approach.

The equipment being deployed is consistent with the LTE interoperability standards that current waiver jurisdictions are using.

Failure to authorize waiver recipients to enter service would have no positive benefits and incur very many negative ones. Waiver recipients such as the North Texas region have invested a great deal of local resources and expertise judiciously appropriating tax dollars

in building out an improved data network for their public safety agencies. Loss of such expenditures with no viable replacement system would be a step backward for everyone.

Q6: What would the impact -including cost - be to the Waiver Recipients if all waiver authorizations were rescinded? Could the cost impact be minimized in any way? For instance, could we rescind the waiver authorizations of only those jurisdictions who have not yet expended significant funds? Is there another method to achieve the same objectives, while minimizing any adverse impacts? Is this approach consistent with the Spectrum Act?

A6: The impact for the North Texas region would be a regression in data communications for public safety responders during a time where ever increasing challenges both natural and law enforcement related are requiring more complex and sophisticated capabilities from such technologies. The citizens stand to lose on near-term benefits to their public safety while expensive and available equipment goes unused.

Local North Texas jurisdictions have provided the funding for the initial deployment and should be allowed to move forward. Deployment is consistent with the technology standards and process standards that are being developed. North Texas is committed to continuing to work with the State and FirstNet to integrate the regional core into the nationwide network. The existing processes to include the interoperability showings ensure that the region is moving in a direction consistent with the nationwide build out.

Q7: Is there an appropriate way to transition their authorizations coincident with the end of the lease term, or coincident with the issuance of a license to FirstNet? Is such an approach consistent with the Spectrum Act? Should the Commission simply allow these leases to expire or decline to renew them? Should the Commission allow renewal at the option of FirstNet? Should the Commission allow all or some of the leases to be renewed with the PSST, and then transferred to FirstNet at an appropriate time? Should such lease renewal terms be for a more limited duration than the initial two-year lease? What term? What would be the cost impact of each of these approaches? Could these approaches be structured in a manner that would be consistent with the Spectrum Act?

A7: It would be in the best interest of jurisdictions with advanced deployments to have the Leases renewed with PSST and then transferred to FirstNet at the appropriate time. Another recommended option would be for the FCC to transfer the leases on the condition that they remain intact for at least two years. Allowing the leases to expire would be detrimental to each waiver recipient. Each waiver recipient has successfully demonstrated a public safety need by virtue of being granted a waiver and stands to lose much progress if the leases are allowed to expire. Much political capital has been expended by local leaders who have shown dedication to the effort of improving the data

communications possibilities for public safety and the expectation is that these systems will come online soon.

Q8: Should the Commission authorize operations on a special temporary authority (STA) basis during an interim period following the expiration of these leases, until such time as FirstNet can determine whether to enter into a new lease, or until such time as the relevant state determines whether or not it will opt out of the nationwide license? How long could such an arrangement persist? Is this type of arrangement viable for all the Waiver Recipients, or should it be limited to those with imminent deployment plans, or another extenuating circumstance? What factors would the Commission use to make such a determination?

A8: Special temporary authority is meant to be temporary and is more appropriate to pilot testing than it is for systems in advance stages of deployment. Full approval to operate should be granted waiver recipients such as Texas whose North Texas region and Harris County BIG-Net system are scheduled for service in the near future. Long term leases should be established for waiver recipients and then transferred to FirstNet once the entity is finally in place.